

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ROBERT D. LATTAS, individually)	
and on behalf of a class,)	
)	Case No.: 2007-CV-6296
Plaintiff,)	
)	The Honorable Mark Filip
vs.)	
)	Mag. Judge Martin C. Ashman
MERCURY CAFÉ, INC.,)	
)	
Defendant.)	

**AGREED MOTION FOR EXTENSION OF TIME TO
RESPOND TO COMPLAINT**

Defendant, Mercury Café, Inc. (“Mercury Café”), by and through its undersigned counsel, respectfully submits this Agreed Motion for Extension of Time to Respond to Complaint, and in support thereof state as follows:

1. On or about November 6, 2007, Plaintiff, Robert D. Lattas (“Plaintiff”), commenced this case by filing his Complaint alleging that Mercury Café violated the Fair and Accurate Credit Transactions Act, 15 U.S.C. § 1681, *et seq.*
2. On or about November 14, 2007, Mercury Café was served with Summons and the Complaint.
3. Undersigned counsel for Mercury Café was retained on or about November 26, 2007, and counsel has commenced a preliminary investigation into the allegations set forth in the Complaint.
4. On motion by Mercury Café, this Court, on or about December 5, 2007, entered a Minute Order granting Mercury Café up to and including January 3, 2008 to respond to Plaintiff’s Complaint. (*See* Docket Entries 6, 7, & 8.)
5. On motion by Mercury Café, this Court, on or about January 2, 2008, entered a

Minute Order granting Mercury Café additional time to respond to Plaintiff's Complaint, up to and including February 4, 2008. (*See* Docket Entries 12, 13, & 14.)

6. On January 14, 2008 and again on January 31, 2008, counsel for the parties held telephone conferences regarding the possibility of a settlement.

7. This agreed motion for an extension of time is made in good faith and not for the purpose of delay; rather, the parties have agreed to extend the time for Mercury Café to respond to the Complaint by thirty (30) days, up to and including, March 5, 2008, to permit the parties to further pursue the possibility of an amicable resolution of this matter.

WHEREFORE, Mercury Café, Inc. respectfully requests that this Court enter an order:

- (i) extending the time for Mercury Café to respond to Plaintiff's Complaint by thirty (30) days, up to and including March 5, 2008; and
- (ii) granting it any additional relief that this Court deems just and equitable.

Dated: February 4, 2008

Respectfully submitted,

MERCURY CAFÉ, INC.

/s/ David S. Almeida

One of Its Attorneys

David S. Almeida
Steven D. Hamilton
DRINKER BIDDLE & REATH LLP
191 N. Wacker Drive, Suite 3700
Chicago, IL 60606
(312) 569-1000 (telephone)
(312) 569-3000 (facsimile)

Attorneys for Mercury Café, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on February 4, 2008, a copy of the foregoing **Agreed Motion for Extension of Time to Respond to Complaint** was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

/s/ David S. Almeida